

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH.

C.W.P.No.12508 of 1991
Date of Decision: 03.5.2011

Angrez Kaur and another

.....Petitioners

Vs.

Additional Director Panchayats, Punjab
and another

....Respondents

....

CORAM : HON'BLE MR.JUSTICE K. KANNAN

Present : Mr. Sarjit Singh, Sr. Advocate with Mr. Vikas Singh, Advocate
for the petitioners.
Mr.K.S. Sivia, DAG, Punjab, for the State of Punjab.

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K. KANNAN J (Oral)

CWP Nos.12508 of 1990 addresses the issue of defence entered by private individuals against the panchayat contending that the civil court had earlier upheld the claim for declaration and granted decree of injunction. In CWP No.12508 of 1990, the Collector had upheld objections and dismissed the petition but appellate authority rejected the contention and directed eviction without expressly stating as to how the panchayat could ignore the civil court's decree and seek their eviction. The order is untenable and is required to be quashed. The writ petition is allowed.

3.5.2011
GS

(K. KANNAN)
JUDGE